

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA

v.

No. 07-4059 (L)

PAULETTE MARTIN, et al.

* * * * *

MOTION TO EXTEND TIME FOR BRIEFING

Comes now Appellant herein, Paulette Martin, by and through her counsel, Michael D. Montemarano, Esq., and Michael D. Montemarano, P.A., as appointed counsel pursuant to the CJA, and as lead appellate counsel for the five other Appellants herein, and does move for the extension of the time for the briefing of this matter, and in support thereof does state:

1. The Joint Brief of Appellants is due on August 20, 2010, per the current briefing order.
2. Lead appellate counsel (undersigned) was contacted in late July by Alan Dexter Bowman, Esq., counsel for Co-Appellant Lanora Ali (in related case #07-4062), relative to his need for additional time for submitting materials regarding his client to lead counsel for inclusion in the joint brief and JA. This request was occasioned by Bowman's having contracted Lyme Disease this summer, for which he still is undergoing treatment and suffering sever debilitation, to the degree that he is not yet able to work full time. Bowman represented that his materials¹ would be in lead

¹ "Materials" should be understood, as lead counsel has instructed Bowman, to include the following *separate items* specific to his client: a list of materials identified for the JA; separate arguments and summaries of each, each to be added into the brief in a unitary whole; a statement of relevant facts to be incorporated by lead counsel into the factual portion of the brief; and a separate table of citations to be incorporated, etc. Lead counsel will be responsible to add the JA references to the brief.

counsel's hands by the end of the month. As of the date of this motion, counsel has not received the materials, however, he was emailed by Bowman on July 30 relative to his inability to meet this self-imposed deadline (copy attached). Since that time, counsel has called and emailed Bowman, but has not reached him nor been contacted at his office via email or phone. Counsel has been called on his cell phone outside of business hours twice by Bowman, but has missed the calls.

3. Counsel for Appellant therefore requests that the time for briefing be extended, and the due date of the Joint Brief of Appellants be rescheduled to no earlier than September 10, 2010.

4. Counsel for Appellant is authorized to state that counsel for Appellee, Assistant United States Attorney Bonnie Greenberg, consents to the grant of the requested relief.

Respectfully submitted,

August 10, 2010

/s/
MICHAEL D. MONTEMARANO

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For Appellant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on or before this 10th day of August, 2010, a copy of the foregoing *Motion to Extend Time for Briefing* was filed via CM-ECF, and served via direct email, on Bonnier Greenberg, Assistant United States Attorney, 36 South Charles Street, Suite 400, Baltimore, MD 21201.

/s/
MICHAEL D. MONTEMARANO